

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FRANCIS TOLENTINO,

CASE NO. C16-0451JLR

Plaintiff,

## ORDER

## U.S. CITIZENSHIP & IMMIGRATION SERVICES, et al.,

## Defendants.

Plaintiff Francis Tolentino brings this action pursuant to the Administrative Procedures Act (“the APA”) and contends that Defendants erred in denying his petition to classify a Convention<sup>1</sup> adoptee as an immediate relative. (See Am. Compl. (Dkt. # 23) ¶¶ 8.1-9.2; JSR (Dkt. # 11) at 2.) The court has reviewed the parties’ joint status report (“JSR”). (See JSR.) In their JSR, the parties state that “[b]ecause this action is brought

<sup>1</sup>The Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, May 29, 1993, 32 I.L.M. 1134 (the “Hague Adoption Convention”). (See MTD (Dkt. # 18) at 2; Compl. (Dkt. # 1) ¶ 7.4 (referring to “The Hague Adoption Convention”).)

1 under the APA, the case will be decided on the administrative record, and discovery is  
2 not appropriate.” (*Id.* at 3.) In addition, the parties represent that a trial date and other  
3 pretrial-related matters are not applicable. (*See id.* at 5). The court recently granted Mr.  
4 Tolentino’s motion to amend his complaint and denied Defendants’ motion to dismiss  
5 Mr. Tolentino’s original complaint as moot. (Order (Dkt. # 22).) On May 15, 2017,  
6 Plaintiff filed his amended complaint. (*See Am. Compl.*) Accordingly, the court  
7 ORDERS the parties to file another JSR within ten (10) days of the entry of this order.  
8 Given the parties’ representations that this matter can be resolved without a trial, the  
9 second JSR must set forth a reasonable proposal for the court’s resolution of this matter  
10 on the merits.

11 Dated this 17th day of May, 2017.

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15 JAMES L. ROBART  
16 United States District Judge  
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